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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/752,654	12/27/2000	Justin Chickles	5150-43100	1473

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EXAMINER	
VU, KIEU D	

ART UNIT	PAPER NUMBER
2173	5

DATE MAILED: 10/08/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	09/752,654	CHICKLES ET AL.	
	Examiner	Art Unit	
	Kieu D Vu	2173	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *27 December 2000* .

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *73-152* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *73-152* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

11)☐ The proposed drawing correction filed on _____ is: a)☐ approved b)☐ disapproved by the Examiner.

If approved, corrected drawings are required in reply to this Office action.

12)☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

13)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____ .

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

14)☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).

a) ☐ The translation of the foreign language provisional application has been received.

15)☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 3 .
4) ☐ Interview Summary (PTO-413) Paper No(s). _____ .
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other:

DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless -
> (a) the invention was known or used by others in this country, or patented or described in a printed publication in this or a foreign country, before the invention thereof by the applicant for a patent.
>
> (e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. Claims 73-76, 86-87, 117-120, 124 and 143-144 are rejected under 35 U.S.C. 102(a)(e) as being anticipated by Applicant's admitted prior art of figures 4A-4C.

Regarding claims 73, 117 and 143, Applicant's admitted prior art teaches the displaying of a first palette window (100A) from a hierarchy of palette windows wherein one or more of the palette windows comprises palette items (106, 110A, 108A) that are selectable by a user to include functionality in a program. The first palette window includes navigation items (108A) for navigating among the hierarchy of palette windows. Applicant's admitted prior art also teaches the receiving of user input selecting a navigation item (selecting icon 108A) and the displaying of a child palette window (100B) in response to said user input selection (see figure 4B).

Regarding claims 74 and 118, Applicant's admitted prior art also teaches icons (110A, 108, 112A, 112B, etc.) that are selectable to include functionality in the program.

Regarding claims 75, 119, and 144, Applicant' admitted prior art also teaches that user interface element such as control and indicators (ActiveX controls, buttons,

switches, graphs, gauges, etc.) (functionality) may be added to the program using palette windows 100 (See page 2, lines 14-19).

Regarding claims 76, 120 and 144, Applicant' admitted prior art also teaches that palette items include icons that are selectable by the user to include nodes in the graphical program (See figure 4B, icons in Graph menu).

Regarding claims 86 and 124, Applicant' admitted prior art also teaches each of the palette window selection items is operable when selected to display different child palette window (Fig. 4A-4C).

Regarding claim 87, the admitted prior art teaches displaying a first parent palette window (100A), selecting a first palette window (100B), and displaying a first palette window (100B).

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

4. Claims 77-80, 82-84, 95-101, 103, 104-107, 111-113, 121-122, 128-134, 135-140, 145-146, 149 and 151 are rejected under 35 U.S.C. 103(a) as being unpatentable over Applicant's admitted prior art and Filepp (USP 5,578,072).

Regarding claims 77, 95, 121, 128, 145 and 149, Applicant's admitted prior art teaches the displaying of a first palette window (100A) from a hierarchy of palette windows wherein one or more of the palette windows comprises palette items (106,

110A, 108A) that are selectable by a user to include functionality in a program. The first palette window includes navigation items (108A) for navigating among the hierarchy of palette windows. Applicant's admitted prior art also teaches the receiving of user input selecting a navigation item (selecting icon 108A) and the displaying of a child palette window (100B) in response to said user input selection (see figure 4B). Applicant's admitted prior art differs from the claim in that Applicant's admitted prior art fails to teach that a first palette window is closed subsequent to said receiving the user input selecting navigation item. However, such feature is old and well known in the art. For example, Filepp teaches the exit 298 (see figure 3b) for closing the unused window, thus freeing up valuable memory for the system. It would have been obvious to one skilled in the art at the time the invention was made to apply Filepp teaching of a close icon for closing an unused window in Applicant's admitted prior art system with the motivation being to save valuable memory for the system.

Regarding claims 78, 98, 131, and 149, Applicant' admitted prior art also teaches when window 100B is closed, window 100A would be opened as part of the hierarchy window system.

Regarding claims 96, 119, and 129, Applicant' admitted prior art also teaches that user interface element such as control and indicators (ActiveX controls, buttons, switches, graphs, gauges, etc.) (functionality) may be added to the program using palette windows 100 (See page 2, lines 14-19).

Regarding claims 97, 120, and 130, Applicant' admitted prior art also teaches that palette items include icons that are selectable by the user to include nodes in the graphical program (See figure 4B, icons in Graph menu).

Regarding claims 99, 100, 101, 132-134, 139 and 140, Applicant's admitted prior art fails to teach that navigation item includes forward item or backward item. However,

Filepp teaches "next" icon (forward item), "back" icon (back item) to enable users to easily navigate through the series of windows (See Fig. 3). Thus, it would have been obvious to one skilled in the art at the time the invention was made to apply Filepp's teaching of "next" icon (forward item), "back" icon (back item) in the display system of Applicant's admitted prior art with the motivation being to enable users to easily navigate through the series of windows.

Regarding claims 103 and 135, Applicant's admitted prior art teaches each of the palette window selection items is operable when selected to display different child palette window (Fig. 4A-4C)

Regarding claims 104, 136 and 151, Applicant's admitted prior art teaches the displaying of a first palette window (100A) from a hierarchy of palette windows wherein one or more of the palette windows comprises palette items (106, 110A, 108A) that are selectable by a user to include functionality in a program. The first palette window includes navigation items (108A) for navigating among the hierarchy of palette windows. Applicant's admitted prior art also teaches the receiving of user input selecting a navigation item (selecting icon 108A) and the displaying of a child palette window (100B) in response to said user input selection (see figure 4B). Applicant's admitted prior art differs from the claim in that Applicant's admitted prior art fails to teach the closing of the first palette window and the displaying of the child palette window (second palette window) in response to a user input selection. However, Filepp, in the same art of graphical user interface system, clearly teaches at col. 49, lines 39-41 that a user selection of a close command can trigger the system to perform both tasks of closing a current window and open another window. This mechanism saves a separate step of opening a window, and enables efficient conditional execution. One skilled in the art would have recognized such efficiency advantage provided by Filepp's teaching. Thus,

it would have been obvious to one skilled in the art at the time the invention was made to apply Filepp's teaching of closing a window and opening a window in response to a user selection in display system of Applicant's admitted prior art with the motivation being to enhance program execution efficiency.

Regarding claims 105 and 137, Applicant' admitted prior art also teaches that user interface element such as control and indicators (ActiveX controls, buttons, switches, graphs, gauges, etc.) (functionality) may be added to the program using palette windows 100 (See page 2, lines 14-19).

Regarding claims 106 and 138, Applicant' admitted prior art also teaches that palette items include icons that are selectable by the user to include nodes in the graphical program (See figure 4B, icons in Graph menu).

Regarding claim 107, Applicant' admitted prior art also teaches when window 100B is closed, window 100A would be opened as part of the hierarchy window system.

Regarding claims 111-113, Applicant' admitted prior art also teaches each of the palette window selection items is operable when selected to display different child palette window (Fig. 4A-4C).

Regarding claims 79, 80, 82-84, 122 and 146, Applicant's admitted prior art fails to teach that navigation item includes forward item or backward item. However, Filepp teaches "next" icon (forward item), "back" icon (back item) to enable users to easily navigate through the series of windows (Fig. 3). Thus, it would have been obvious to one skilled in the art at the time the invention was made to apply Filepp's teaching of "next" icon (forward item), "back" icon (back item) in the display system of Applicant's admitted prior art with the motivation being to enable users to easily navigate through the series of windows.

5. Claims 81, 85, 88-94, 123, 125-127, and 147-148 are rejected under 35 U.S.C. 103(a) as being unpatentable over Applicant's admitted prior art and Gavron et al ("Gavron", "How to use Microsoft Windows NT Workstation.")

Regarding claims 88, 125-127 and 148, the admitted prior art fails to teach the search feature including a search window. However, such feature is old and well known in the art as evidenced by the popular window help program which provides the search feature including a search window. Gavron teaches such feature in the book entitled "How to use Microsoft Windows NT 4 workstation" (See page 7). Thus, it would have been obvious to one skilled in the art at the time the invention was made to apply Gavron's teaching of providing the search feature including a search window in Applicant's admitted prior art in view of Gavron display system with the motivation being to provide convenient searching feature.

Regarding claim 89, Gavron teaches the identification and displaying of possible palette windows in accordance with the search criteria user input (folders). Note that each index entry is linked to a palette window displaying the details of that entry.

Regarding claims 90-94, Gavron teaches search text string is used as input in performing the search (string "folders in figure in page 7).

Regarding claims 81, 85, 123, 147, the admitted prior art fails to teach an "up" icon for the purpose of enabling user to easily navigate through a hierarchy of windows. However, such features is old and well known in the art. For example, Gavron teaches, in the book entitled "How to use Microsoft Windows NT 4 workstation", the "up" icon (see the up-one-level icon in the middle of page 41). These icons undoubtedly enable the users to easily navigate through a hierarchy of windows. Thus, it would have been obvious to one skilled in the art at the time the invention was made to apply Gavron's teaching of providing "back" icon, "forward" icon and "up" icon in the display system of

Applicant's admitted prior art with the motivation being to enable user to easily navigate through a hierarchy of windows.

6. Claims 102, 108, 110, 114-116, 141-142, 150, and 152 are rejected under 35 U.S.C. 103(a) as being unpatentable over Applicant's admitted prior art, Filepp, and Gavron.

Regarding claims 102, 141 and 150, the admitted prior art and Filepp fails to teach the "up" icon for the purpose of enabling user to easily navigate through a hierarchy of windows. However, such features are old and well known in the art. For example, Gavron teaches, in the book entitled "How to use Microsoft Windows NT 4 workstation", the "up" icon (see the up-one-level icon in the middle of page 41). These icons undoubtedly enable the users to easily navigate through a hierarchy of windows. Thus, it would have been obvious to one skilled in the art at the time the invention was made to apply Gavron's teaching of providing "back" icon, "forward" icon and "up" icon in the display system of Applicant's admitted prior art in view of Filepp with the motivation being to enable user to easily navigate through a hierarchy of windows.

Regarding claims 108, 110, 114-116, 142 and 152, the admitted prior art and Filepp fails to teach the search feature including a search window. However, such feature is old and well known in the art as evidenced by the popular window help program which provides the search feature including a search window. Gavron teaches such feature in the book entitled "How to use Microsoft Windows NT 4 workstation" (See page 7). Thus, it would have been obvious to one skilled in the art at the time the invention was made to apply Gavron's teaching of providing the search feature including a search window in Applicant's admitted prior art and Filepp's display system with the motivation being to provide convenient searching feature.

7. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Applicant is required under 37 C.F.R 1.111(c) to consider these references fully when responding to this action.

Kiuchi (USP 5644740) teaches displaying a currently displayed palette window (see figures 11- 13) from a hierarchy of palette windows wherein one or more of the palette windows comprises palette items that are selectable by a user to include functionality in a program. The currently displayed palette window includes navigation items (1210, 1211, 1212, 1213, 1214, 1215, 1305, 1306, 1307, etc.) for navigating among the hierarchy of palette windows. Kiuchi teaches the receiving of user input selecting a navigation item (selecting "close" 1305), the closing of the currently displayed palette window and the displaying of a previously displayed palette window in response to a user input selection (Once the current windows is closed, the previously displayed palette window is displayed again. Kiuchi further teaches CPU 401, memory 405, disk 406 and display unit 402 to perform the aforementioned tasks (see figure 4).

8. Any inquiry concerning this communication should be directed to Kieu D. Vu whose telephone number is (703-605-1232). The examiner can normally be reached on Mon - Thu from 7:00AM to 3:00PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Cabeca, can be reached on (703- 308-3116).

The fax phone numbers for the organization where this application or proceeding is assigned are as follows:

(703)-746-7238 (After Final Communication)

or

(703)-746-7239 (Official Communications)

(703)-746-7240 (For Status Inquiries, draft communication)

and / or:

(703)-746-5639 (use this FAX #, only after approval by Examiner, for "INFORMAL" or "DRAFT" communication. Examiners may request that a formal paper / amendment be faxed directly to them on occasions)

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703-305-3900).

Kieu D. Vu

9/30/03

JOHN CABECA
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